

§ 943. Automated Targeting System**(a) In general**

The Secretary, acting through the Commissioner, shall—

- (1) identify and seek the submission of data related to the movement of a shipment of cargo through the international supply chain; and
- (2) analyze the data described in paragraph (1) to identify high-risk cargo for inspection.

(b) Requirement

The Secretary, acting through the Commissioner, shall require the electronic transmission to the Department of additional data elements for improved high-risk targeting, including appropriate security elements of entry data, as determined by the Secretary, to be provided as advanced information with respect to cargo destined for importation into the United States prior to loading of such cargo on vessels at foreign seaports.

(c) Consideration

The Secretary, acting through the Commissioner, shall—

- (1) consider the cost, benefit, and feasibility of—
 - (A) requiring additional nonmanifest documentation;
 - (B) reducing the time period allowed by law for revisions to a container cargo manifest;
 - (C) reducing the time period allowed by law for submission of certain elements of entry data, for vessel or cargo; and
 - (D) such other actions the Secretary considers beneficial for improving the information relied upon for the Automated Targeting System and any successor targeting system in furthering the security and integrity of the international supply chain; and
- (2) consult with stakeholders, including the Commercial Operations Advisory Committee, and identify to them the need for such information, and the appropriate timing of its submission.

(d) Regulations

The Secretary shall promulgate regulations to carry out this section. In promulgating such regulations, the Secretary shall adhere to the parameters applicable to the development of regulations under section 343(a) of the Trade Act of 2002 (19 U.S.C. 2071 note),¹ including provisions relating to consultation, technology, analysis, use of information, confidentiality, and timing requirements.

(e) System improvements

The Secretary, acting through the Commissioner, shall—

- (1) conduct, through an independent panel, a review of the effectiveness and capabilities of the Automated Targeting System;
- (2) consider future iterations of the Automated Targeting System, which would incorporate smart features, such as more complex algorithms and real-time intelligence, instead

of relying solely on rule sets that are periodically updated;

(3) ensure that the Automated Targeting System has the capability to electronically compare manifest and other available data for cargo entered into or bound for the United States to detect any significant anomalies between such data and facilitate the resolution of such anomalies;

(4) ensure that the Automated Targeting System has the capability to electronically identify, compile, and compare select data elements for cargo entered into or bound for the United States following a maritime transportation security incident, in order to efficiently identify cargo for increased inspection or expeditious release; and

(5) develop a schedule to address the recommendations of the Comptroller General of the United States, the Inspector General of the Department of the Treasury, and the Inspector General of the Department with respect to the operation of the Automated Targeting System.

(f) Secure transmission of certain information

All information required by the Department from supply chain partners shall be transmitted in a secure fashion, as determined by the Secretary, so as to protect the information from unauthorized access.

(g) Authorization of appropriations

There are authorized to be appropriated to the United States Customs and Border Protection to carry out the Automated Targeting System for identifying high-risk oceanborne container cargo for inspection—

- (1) \$33,200,000 for fiscal year 2008;
- (2) \$35,700,000 for fiscal year 2009; and
- (3) \$37,485,000 for fiscal year 2010.

(Pub. L. 109-347, title II, § 203, Oct. 13, 2006, 120 Stat. 1904.)

Editorial Notes**REFERENCES IN TEXT**

Section 343(a) of the Trade Act of 2002, referred to in subsec. (d), is section 343(a) of Pub. L. 107-210, which was set out as a note under section 2071 of Title 19, Customs Duties, prior to editorial transfer to section 1415(a) of Title 19.

§ 944. Container security standards and procedures**(a) Establishment****(1) In general**

Not later than 90 days after October 13, 2006, the Secretary shall initiate a rulemaking proceeding to establish minimum standards and procedures for securing containers in transit to the United States.

(2) Interim rule

Not later than 180 days after October 13, 2006, the Secretary shall issue an interim final rule pursuant to the proceeding described in paragraph (1).

(3) Missed deadline

If the Secretary is unable to meet the deadline established pursuant to paragraph (2), the

¹ See References in Text note below.